



11 SUNRISE PLAZA, STE. 305
VALLEY STREAM, NY 11580
(516) 233-1660
WWW.LIEBOWITZLAWFIRM.COM

December 9, 2020

VIA ECF

Honorable Analisa Torres
United States District Court
Southern District of New
York 500 Pearl Street
New York, NY 10007-1312

Re: O'Neil v. Ratajkowski, 1:19-cv-09769 (AT)

Dear Judge Torres:

We represent Plaintiff Robert O'Neil ("Plaintiff") in the above-captioned case. We write to respectfully request the Court's leave to file a two-page letter reply and accompanying attorney declaration, with exhibits [attached hereto], in further support of Plaintiff's motion for leave to file official deposit copies received from the United States Copyright Office pertaining to the copyrighted work at issue. [Dkt. #52 (the "Motion")]

Pursuant to L.R. 6.1(b), any reply in further support of Plaintiff's Motion was to be filed within seven days, on December 1, 2020. Accordingly, this application is being made *ex post facto*, one day past deadline.

As grounds for this request, undersigned counsel respectfully submits that lead trial counsel in this matter, Richard Liebowitz, was suspended from the practice of law in this District as of November 25, 2020, the day before Thanksgiving weekend. In the week that followed, I suddenly became responsible for over a hundred cases in Southern District of New York. As a result, tremendous administrative burden was placed on our practice, which only employs two lawyers besides Mr. Liebowitz.

Defendant's opposition letter was filed on December 1, 2020 [Dkt. #53], but in the whirlwind of activity following Mr. Liebowitz's suspension last week, the reply date was not properly calendared. Accordingly, the deadline was missed due to administrative oversight and I apologize to the Court for this error. I am respectfully requesting, for good cause shown, that the Court grant leave to file Plaintiff's reply, primarily to authenticate the Copyright Office's deposit copies received by our law office on November 17, 2020.

Respectfully Submitted,

s/jameshfreeman/
James H. Freeman

Counsel for Plaintiff